



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application)
Inventor(s): Kenneth N. Bates)
Reissue Serial No.: 09/628,942)
Original Patent No.: 5,787,049)
Original Patent Issued: 07/28/98)
Reissue Filed: 07/28/00)
Title: Acoustic Wave Imaging)
Apparatus and Method)

REISSUE
PATENT APPLICATION

Art Unit: 3662

Examiner: Lobo, I.

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CERTIFICATE OF MAILING UNDER 37 C.F.R. Section 1.8
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Steven J. Adamson, Reg. No. 32,776

3-26-03
Signature Date

RESPONSE TO OFFICE ACTION UNDER 37 C.F.R. §1.111

Assistant Commissioner for Patents
Washington, DC 20231

Sir or Madam:

This RESPONSE is in reply to the Advisory Action mailed February 26, 2003.

REMARKS

Claims 1-23 (from the original patent) and claims 24-40 (added through reissue) are pending in the case. Applicant notes with appreciation the allowance of claims 24-38, but hereby brings to the Examiner's attention claims 39-40. Claims 39-40 were added by the Amendment submitted December 23, 2002, and depend from claims 38 and 24, respectively. Applicant submits that claims 24-40 should be allowable.

Response to Detailed Action

ITEM 1. In item 1, it is stated that ALL NEW CLAIMS (in this case claims 24-38 [sic, actually 24-40] must be underlined throughout the prosecution of a reissue application. Applicant is confused by this statement because §1.173 paragraph (d) requires matter added to a reissue be underlined, but if a claim added by a reissue is subsequently